

Application No. 10/803,349
Response dated June 6, 2006

Docket No.: 29617/SH009A

REMARKS

This paper is responsive to the Office Communication issued on May 8, 2006. The Communication asserts that applicants' response to the election requirement was not fully responsive because the applicants elected a species but not a sub-species.

Briefly, the original election requirement, which issued on February 28, 2006, outlined several asserted species of writing utensils and several asserted sub-species of tape flag dispensers. The election requirement defined, in part, Species V, Figs. 9-13, which depicts a specific writing utensil. Figure 13 also depicts a specific tape flag dispenser usable with at least the writing utensil of Fig. 9. However, the tape flag dispenser of Fig. 13 was not broken out as a sub-species.

In a response dated March 28, 2006, applicants elected Species V, the writing utensil shown in Figs. 9-13. Applicants believed their response was fully responsive. The Communication now requires that applicants elect a sub-species of tape flag dispenser.

Applicants respectfully request that the examiner recast the election requirement to denote that Fig. 13 is a sub-species of a tape flag dispenser usable with the elected writing utensil. Applicants further request that the examiner enter applicants' election of Fig. 13 as the elected sub-species of tape flag dispenser. Applicants previously contacted the examiner on or about May 25, 2006, and the examiner agreed that applicants could elect Fig. 13 as the sub-species of tape flag dispenser.

Applicants further respectfully re-assert their traversal of portions of the election requirement, and request that the examiner recast the election requirement such that claims directed to Species V, Species VI, and Species IX are examined.

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In view of the above response, applicants believe the pending application is in condition for allowance. If the examiner has any questions, he is invited to call the undersigned at his convenience.

Dated: June 6, 2006

Respectfully submitted,

By 

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